

SPEECH

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OF

HON. DAVID K. CARTER, OF OHIO,

ON

THE FINALITY OF THE COMPROMISE.

DELIVERED

IN THE HOUSE OF REPRESENTATIVES, MAY 25, 1852.

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FINALITY OF THE COMPROMISE.

The House being in the Committee of the Whole on the state of the Union (Mr. SEYMOUR, of Connecticut, in the chair) on the invalid pension bill—

Mr. CARTTER said: Mr. Chairman, I do not propose to detain the committee long. I have passed in this Hall nearly three years of legislative life, and the subject which has just died upon the lips of the gentleman from Virginia, [Mr. BAYLY,] has been the constant theme of discussion. I have never opened my lips upon the subject, and never intended to, but I am driven from my fixed purpose at this time. First, I protest against a ceaseless Southern agitation of the subject. My ear is sickened with the ceaseless clamor about the sacred right in negroes, and the awful consequences of a failure to protect the right—disunion. Sir, it would be much easier to die at once, than be compelled to listen to this prolonged herald of destruction. But especially do I protest against the extraordinary doctrine this moment avowed by the gentleman from Virginia. That honorable gentleman, who denounced a portion of the compromise measures as unconstitutional when they were passed, comes forward here and canonizes them into the Constitution, and pronounces that the repeal of one measure of them, would be a repeal of the Constitution; and that you have no legislative right to do it.

Mr. BAYLY, of Virginia. I have addressed myself to two points.

Mr. CARTTER. And I was taking up the first one.

Mr. BAYLY. Very well; I spoke upon the territorial bills and the fugitive slave law. When did I say to repeal them was unconstitutional?

Mr. CARTTER. The language which the gentleman used when he opened his argument, was as follows: "The fugitive slave law is a law to execute the provisions of the Constitution, and it would be unconstitutional to repeal it."

Mr. BAYLY. That is what I said.

Mr. CARTTER. And that is what I stated you said. This series of compromise measures, which in the process of their passage were of such doubtful constitutional origin that even the honorable gentleman from Virginia denounced and voted against a portion of them as of doubtful

constitutionality, are now to be canonized as a part of the Constitution.

Mr. BAYLY. I dislike to interrupt the gentleman, but I ask him what law I have canonized, or said was a portion of the Constitution?

Mr. CARTTER. The fugitive slave law.

Mr. BAYLY. The others are already canonized; they are irrevocable.

Mr. CARTTER. Now, sir, I deny the whole doctrine. It is as palpable a sophistry as was ever uttered. The mere statement of the question is all the answer that reason requires to condemn the conclusion. Is a law framed in subordination to the Constitution, by the legislative organ of the Constitution, so solemn in its character that the very body which created may not destroy it? To thus reason would convert a derivative into a fundamental law, and the National Legislature to the dignity of a Convention.

No, sir, it is as sound in politics as divinity, that the creator may destroy; and to make a long matter short, the assumption of the learned gentleman from Virginia is simply a self-evident absurdity. [Laughter.]

Now, I will concur with the honorable gentleman from Virginia in this, that the Constitution contains a provision by which Congress may enact a law providing for the restoration of fugitives from labor. I have never doubted it, although some gentlemen in the South, and some in the North, some gentleman in the East, and some in the West, regard it as a mere compact in the Constitution, to be executed by the sovereignties composing the States of the Union; and even that class of reasoners do not deny the obligation to surrender them. They merely differ with the honorable gentleman from Virginia and myself in the source of authority—one assigning to the sovereign States the discharge of the duty, and the other to the Federal Government; and this is the only difference between them on the subject.

I am in the school of interpreters of the Constitution with the honorable member from Virginia. I believe that we have the power to enact the law; but when he attempts to sanctify a law into a constitutional canon, in its nature irrevocable, and goes one step further and tells us, you have got to

enact and reenact it (of course as a part of the Constitution) as often as political caprice may suggest, making common sense and common sensibility the sport of wantonness, we part company. The refusal on the part of Congress to enact a law for the execution of the fugitive clause in the Constitution, would, perhaps, be a refusal to do a constitutional duty, and that is all it would be. And I am willing to concede the right of forcible revolution, to be exercised when oppressions of any character become intolerable—not peaceable secession, but revolution. It is a right high enough and good enough for the reparation of wrongs which justify the breaking up of despotic government.

Now, Mr. Chairman, I have said all I intended to say in reply to the gentleman's constitutional view of the fugitive slave law.

After closing his remarks on the constitutionality of the law, I understood the gentleman from Virginia to intimate that a change of the law in its detail was the denial of a constitutional right.

Mr. BAYLY. So far from intimating any such thing, I said precisely the reverse.

Mr. CARTTER. I did not understand it so, and am happy to be undeceived. Taking the avowal as it is now uttered, that the law may be amended; that it may be conformed to the exigency of the time—who claims any more than that? Where is the school of politicians that do it? Who are the public men that do it, who acknowledge any obligations to this Government?

Mr. ALLISON. If the gentleman from Ohio will permit me to address an inquiry to the gentleman from Virginia, [Mr. BAYLY.] I will be greatly obliged to him.

Mr. CARTTER. Certainly. My remarks are made on the impulse of the moment; their harmony will not be marred by interruption. [Laughter.]

Mr. ALLISON. I will ask the gentleman from Virginia, if we have not the power to alter or repeal the law of 1850, how did we acquire the power to alter and repeal the law of 1793?

Mr. BAYLY. I will reply to the gentleman. In the first place, we have not repealed the law of 1793. That would be answer enough. In the second place, we have passed an additional law to carry out the provision of the Constitution which the action of Northern Legislatures made necessary.

Mr. ALLISON. Then I would ask another question. If the experience of the country should satisfy Congress that the provisions of the law of 1850 were not sufficiently stringent to be effectual, would it be unconstitutional to repeal it, and to enact one that might be effectual?

Mr. BAYLY. Unquestionably not; and for the plain, palpable reasons I have stated. The duty of Congress is to pass such laws as are necessary to execute the Constitution. To claim the right of Congress to pass the laws which are necessary to execute the Constitution, by no means implies the right, I think, to repeal those laws without passing others in their stead.

Mr. CARTTER. And the violation of the Constitution is not in the repeal—in reply to the last suggestion of the honorable member from Virginia—but it is in the refusal to supply a substitute. There is the failure.

Mr. BAYLY. Others that will be effectual.

Mr. CARTTER. They ought all to be effectual enough to execute the provisions of the Constitution. After passing from the question of the constitutionality of this law, I understood the gentleman to descend to its details, and reiterate what we all know to be true: that the law is now, and ever has been since the formation of the Constitution, odious. What he means by that is this: that there is in the sympathies of the human heart everywhere—and the thing is as manifest in his own latitude as in any region of the Union—a love of liberty; and that sentiment even supersedes frequently the regimen by which inferior intellects are better protected than they would be, if left to their own discretion. It is a sympathy which may rise higher than reason; but, when sustained by reason, will make any law odious. I understand the honorable gentleman to confess, in substance, that the fugitive slave law does outrage in its details all the common sanctions of justice, or, in other words, that it is summary—

Mr. BAYLY. Just allow me to say one word, and I will not interrupt you again. The committee will see in the remarks I made, that I went designedly into no details, but dwelt upon broad principles. I said nothing like what the gentleman said. There were many illustrations which I left out that I would be glad now to supply, and if the gentleman will allow me, I will ask him a question.

Mr. CARTTER. I draw the inference that the gentleman, in the course of his argument, acknowledges the juridical injustice of the details of this law. He does not in terms, but what is his language? He says that this fugitive slave law is a summary law, to be summarily executed. The reason why it is a summary law, and to be summarily executed, is, that it is to be executed amongst men who regard it as odious; and he gave you an instance in illustration in the juridical experience of his own State, where a court, in the exercise of this sympathy for liberty, decided the same question in two ways in the same case—as between two contestants for the property one way, and the negro and his liberty another. What can you expect when, in the midst of this institution, where all precautionary measures for its preservation are prompt and technically exact, humanity breaks through its restraints, and judgment is led to the footstool of sympathy? What could you expect, then, in a community where the institution of slavery does not prevail? Still, I hold, and am ready to assure the gentleman, that if you wish to command the loyalty of the citizens of the free States to this law, you had better abandon your summary doctrines. Respect the forms of justice, if you will command acquiescence in the discharge of our odious duties. The mandates of the Constitution will be obeyed, but reason and respect to common justice will be demanded in the process of obedience. Why is it odious in its details? The same Constitution which commands the return of the fugitive from labor enjoins the right of trial by jury, and that speedily. It is a sacred right which we inherited, in the exercise of which we have been educated, as an inseparable sanction to liberty; not only trial by jury, but such trial at the time when liberty is brought into jeopardy. This is the chief guard which has been thrown around the white and black fugitive law, and which is sacrificed in the free States. With this sanction sustained,

although reluctantly, we witness the punishment of an offender under extenuating circumstances.

Being impressed with the necessity for some apology for this manifest outrage upon the rights of personal liberty, the honorable gentleman from Virginia, [Mr. BAYLY,] in his argument, says that they have a complete remedy at home; that is to say, in slave States to which they are taken. Now, that is probably true. My own opinion is, that these Southern States, from what I have observed, and from what I know of humanity everywhere, will give the negro a fair trial, when he shall be able to bring his claim to public notice. But does it bring protection and justice to the door of liberty, and at the point where liberty is brought into jeopardy? The remedy comes too late. The victim has been transported to a land of strangers, where the slightest of African blood presumes slavery,—removed as he is from his acquaintances and those whose knowledge might explain away the earmarks of servitude. But I confess the worst feature in the argument of the gentleman, and that which grated most harshly upon my sensibilities, was this: That "we of the South do it simply because your conduct has made it necessary that it should be summary." There is an expression from a citizen and honorable Representative of the South towards the free States, involving a direct impeachment, which reads, when rendered in English, "Because your respect for the Constitution, and for constitutional rights, hang about you so loosely, and your conscience is so insensible upon the subject of your duties, we of the South have got to outrage your sense of propriety for the purpose of effecting justice." I assume to say that this is a slander upon the free States, unintentional of course.

Mr. POLK. I will ask the gentleman a question, as he pronounces this a slander, unintentional, I understood him to say. If when they have gone so far in the free States, in the city of Boston, as to take a slave out of the hands of justice, and out of the courts of the proper officers, be a slander, I will state another case which has happened in New York. Governor Hunt—if there is any correctness in the reports which come to us—pardoned a slave three days before his time expired in the penitentiary, that he might be enabled to run off to Canada. I ask the gentleman if it is a slander for us to say, then, in this case of injustice against the South, that you are trying to deprive us of our rights?

Mr. CARTTER. I deny it, as a false imputation upon the character of the free States, that they are not willing to abide by the Constitution.

Mr. POLK. I wish to know of the gentleman if he intends to apply that to me?

Mr. CARTTER. Not at all. I wish to answer the gentleman's questions. I wish to know, in the name of common sense and in the conviction of every gentleman here from the South, if he expects that the Executive of a free State, in the execution of his duty, is going to dance attendance upon slaveholders?—that he is going to turn the keys, unlock the doors of justice, in obedience to \$500 worth of property?

Mr. POLK. It is probable that the gentleman from Ohio did not understand the point I made.

Mr. CARTTER. You say that the Governor of New York pardoned a prisoner.

Mr. POLK. I say it is reported; and, surely,

some gentleman from New York can answer if I am incorrect. I made this statement, that—

The CHAIRMAN. The gentleman from Tennessee is not in order, unless the gentleman from Ohio yields to the interruption.

Mr. CARTTER. I will yield for the purpose of explanation, but it must be brief.

Mr. POLK. I shall be brief. I state, what has appeared in the public journals, that a slave was confined in the penitentiary for a criminal offense, and he was demanded by his master.

Mr. CARTTER. Of whom?

Mr. POLK. The Governor of New York. Three days before the time of imprisonment expired, and before the master could exercise his rights under the fugitive slave law to reclaim his slave, the Governor of New York reprieved him, and he was taken out of the penitentiary, and run off into Canada. That is what I mean to state. Is it a slander, then, to say that you are trying to deprive us of our rights?

Mr. CARTTER. I am perfectly willing that the gentleman shall make a Southern stump speech—

Mr. BROOKS. Will the gentleman from Ohio yield me the floor for a moment?

Mr. CARTTER. If the gentleman from New York [Mr. BROOKS] wishes to correct the gentleman from Tennessee, I will permit him to say a very few words, for I have something to say here.

Mr. BROOKS. The gentleman from Tennessee called upon New Yorkers to correct his statement, if it was not true. I feel it my duty, as a New Yorker, being thus called upon—though I have no sympathy with many of the opinions of Governor Hunt—to say, that I have seen a letter from him this morning, in which he states that he did not know, when he pardoned this fugitive from slavery, that he was a fugitive slave.

Mr. POLK. Then I ask the gentleman, why did he pardon him two days before his time expired?

Mr. BROOKS. I will answer the question. He says in this letter, that he pardoned him without any knowledge whatever that he was a fugitive slave, because papers had been submitted to him demonstrating that this person was not guilty of the crime for which he had been imprisoned.

Mr. POLK. Will the gentleman from Ohio allow me just three minutes?

Mr. CARTTER. I cannot yield you much more of my time.

Mr. POLK. I only want one minute: The gentleman from New York says that Governor Hunt pardoned this person, not knowing that he was a fugitive slave, because he was not guilty of the offense for which he had been sent to prison. Now, sir, this negro was arraigned before the court for an offense of which I admit he was not guilty. He was advised, however, by his abolition friends to plead guilty. He did so, and he was sentenced by the court to be confined in the penitentiary. Governor Hunt, as I understand from the current reports of the newspapers, learning from a letter addressed to him by Mr. Thomas, the owner of this slave, that he was a fugitive from labor, and that his master intended to demand him, pardoned the negro three days before his term of imprisonment expired, and he is at this hour in Canada. I ask the gentleman from New York whether, in this state of fact, he

believes the statement of Governor Hunt? I do not.

Mr. CARTTER. Well, Mr. Chairman, without having any personal knowledge of the facts, all I have to say is this: that if I was the Executive of a free State, I should march on to the discharge of the sovereign power involved in granting a pardon, without any more reference to the demand of a slaveholder for his slave, than for that of a man for his horse. I should do my official duty with reference only to the question whether I believed the culprit deserved the benefit of a pardon or not; and that is the only answer that I would ever give to any such question. The Federal officers exist in sufficient numbers to carry out this law, and I hold that good faith does not require any State officer to make use of the instrumentality of his office for that purpose. I would pardon a criminal neither sooner nor later on account of his being a fugitive slave, but I would perform the duties immediately appertaining to my own office, without reference to that question.

But, sir, when I was interrupted I was alluding to the argument of the honorable gentleman from Virginia, [Mr. BAYLY,] reflecting upon the constitutional conscientiousness of the free States in regard to this fugitive slave law. Now, if it were true that from twelve to fifteen millions of the most enlightened and prosperous portion of the people of this great Republic have become so criminal in their consideration of the Federal Constitution as to require a summary infliction of jurisprudence to bring their consciences and their judgments to amenability under the Constitution, it is a very humiliating and deplorable condition of things. Let me say to the gentlemen who believe in any such thing as that—and I will not give credit to the idea that they do—that, if such is the case, they might as well do up their little work of disunion first as last; for if they wait for the period when they will revolutionize the judgments of fifteen millions of the white people of this Republic in the direction they desire, they will wait until the judgment day. [Laughter.] I do not assume for the people of the free States any virtue *par excellence*, or any intelligence *par excellence*; but I do assume for them the good, substantial manhood that belongs to our race in this Republic. They talk but little about their chivalry, and they have not a great deal of it at the head of the regiments, but if you will call the roll and travel along the lines, you will find a great deal of it there. [Laughter.]

But, sir, I come now to the second point made by the honorable gentleman from Virginia, and that was, the importance of reenacting the compromise—canonizing it first as a constitutional provision, and then joggling the memories of those who passed it, and who live under it, every week, or every day, as is being done here. Now, sir, I want to advance here what I conceive to be rather a serious proposition in the science of government. It has been said by almost every speaker on this side of the House, that the perpetuity of our Government depends upon the permanence and wisdom of the Democratic party—which means, being interpreted, the success of the great Democratic party. If I believed that any party organized in this Government rose superior to the vital principles of the Government itself, or rose superior to those elements in it and under it, which constitute the

great chords of love on the part of the citizens towards it, I would raise a hand, that never spotted a Democratic ticket yet, to destroy it. Talk to me about any political party having the great overpowering, and conservative keeping of this Government in its hands! Sir, the moment you do that, you let down the constitutional sanctions of the Government, and destroy the vital principles that circulate in it and around it. If I believed that that old and venerated party, whose gray hairs have been my devotion from the time I was baptized into it under Jackson up to this hour—if I believed that that old party possessed such power, I would say to it, you have out-grown your destiny. When any party rises superior to the functions of the Federal Government, it is time that it was destroyed. But it is not so. This argument is merely brought forward for the purpose of effecting an end which I will perhaps allude to before I sit down, if I think of it.

Again, it is said, for what purpose I know not—though perhaps the divisions and subdivisions of the various parties on this floor and in the country may explain it—that unless the great compromise principle is canonized and brought into the platform of the Democratic party, not only that party, but the country, is lost. Well, now, it is a singular state of things, if it be true, that a set of measures which have struggled upon this floor for a doubtful existence, and in the production of which all the Executive influence at the other end of the avenue was brought to bear,—(a set of measures produced here out of the alarm created in this Capitol, and alarm meetings originating in Baltimore, Philadelphia, and New York—alarm fulminating meetings; and it was not a matter of great surprise to some of us upon this floor, that the country was not aroused. I recollect, however, perfectly well, that those who wanted the compromise passed, and had committed their political fortunes to its destiny, were most alarmed at the alarming insensibility prevailing amongst the people. [Laughter.] They were perfectly astonished that the country did not burn and blaze and break forth with the astounding convulsion that was going on in the political elements of the Republic,)—I say it would be a little remarkable that a set of measures that struggled for a doubtful existence here, and could hardly command a majority with all the patronage that could be brought to bear—a set of measures that belonged to no party, nor to any man, but that were adopted reluctantly by those who voted for them, should have become so vitally necessary to the maintenance of the Republic. It is a remarkable state of things, if it be so, but it is not so. If it is so, our country is in an alarming condition to-day. [Laughter.] Where will be its destiny? Why, half of it will be transferred to Baltimore next week. And into whose hands is it committed there? Why, into the hands of a set of men who are good patriots, good citizens, good politicians, but who come up there to make candidates, not to resolve high constitutional questions, but to endeavor to make their friends—a President. This is the high office of the gentlemen who make their appearance in the convention at Baltimore. Just look at the destiny of this great Republic—a Republic that everybody fears. They are afraid of us abroad, and if you are to believe the speeches made here in Congress, they are vastly afraid of us at home. [Laughter.]

A Republic whose power and prosperity everybody fears, is to depend upon a single resolution to be adopted in the Baltimore Convention, as a "finality in totality." [Laughter.] Why, if I believed any such thing as that—if the public believed that this Convention had any such powers as are attributed to it, and your Convention compared with the Nashville Convention, would be regarded as treason.

But why talk seriously of this pretence that the fate of the Republic is poised in the partisan scale of the Convention? The pretence is mere fustian, and in our inner hearts we all know it. [Laughter.] There are personal interests at stake, and personal destinies to be worked out under the finality, and they are therefore for it. All it means when translated is precisely this: Those who are in favor of it, and who have committed their political success to it, if they succeed in its adoption, have got the advantage of those who believe that if this Union is dissolved, if this fair fabric of ours must crumble to pieces, it will not be through the agency of men, but of reason; and if it is to be saved, it will be saved through the elements and energies of reasons looking to its salvation, and not the resolutions of such bodies as the Baltimore Convention.

Now, sir, what is the precedent that is proposed to be set by these philosophers in government? It is just this: One of their members rises upon this floor and announces one of the compromise measures as a part of the Constitution, which cannot be repealed without a violation of the Constitution. Another goes to Baltimore, and they resolve that the preservation of the Union depends upon the incorporation of the compromise measures into the creed of the Democratic party. Well, what do you do? You make all those who made the resolution, of course, the saviours of the country. These men contemplate that it will be so, and work upon the sensibility, more or less, of the people of this country to induce them to lay aside the right of the freeman to think for himself, and march up to the ballot-box and vote for John Doe or Richard Roe, without reference to his politics, and then turn around and say, if you wish to dissolve this Union, dissolve it at your peril. [Laughter.] Well, a sectional party is created by it, and then this small capital, in the way of compromise and dissolving the Union, will begin to show itself. You will see Ohio and Pennsylvania go for Scott, and you will see New York go for Scott. This is what will be the effect of this movement.

Mr. POLK. Let them go; I would rather be without them than with them, unless they sustain the Constitution.

Mr. CARTTER. I know my friend is singular upon this subject. He reminds me of a gentleman I once heard of, who was found at a mad-house in London, and when he was asked why he was there, replied: "Oh! simply because the world and I differed in opinion." The world thinks me mad, and I think the world mad. [Laughter.] The result will be defeat—defeat on sectional issues—and this Union party the occasion of it. Then, this Union party—this Union-saving party, will be in the field. The cry will be, "Down with sectionalism!" "Hurrah, for the finality of the compromise!"—thinking all the time, that in four years from this time, they will have raised a considerable party by it. Now, if you propose to

make this one measure, above all others, higher than the Constitution, and higher than the sworn officers who are to execute it, beware how you attempt to force it upon the people, for they will think just as they please, and vote just as they please. You cannot make this finality of the compromise measures stop the circulation of the blood through their veins, nor will it stop the operations of the human intellect. You are not going to prevent this young, growing people, who have been inspired into thought, to exercise the freedom of thought. No, no; when you stop the people of the United States from thinking, you can stop the planetary system from moving. When you stop the freedom of thought, and of expressing it in rational legislation, you have got despotism. And then, as much as I idolize this Government and its institutions, I want to see it tumble. Then it is time that it should tumble. If this Government cannot carry out the legitimate, constitutional offices for which it was created, to wit: the development of man's rights—the right to think, and the right to speak—when it ceases to perform that office, it is not worth preservation.

Now, I do not pretend to speak for Ohio in this matter. I am unauthorized to speak for her. But if I were to speak in the language of her conventions, or in the sentiment of her conventions for the last six years, I would say, you cannot prevent her from thinking, nor from speaking what she thinks; and she will go on thinking, looking to the Constitution and God for their responsibility, and all your compromise resolutions, and all your other resolutions having the tendency of a restriction upon freedom of thought, and upon freedom of action for the future, will make no difference with them. And though she has now as substantial and progressive a Democracy as ever undertook to plant the germ of freedom upon the face of the earth, or ever undertook the work of developing it; and although that Democracy has the power of that State upon any democratic question, yet it is possible to send it into a fearful minority, and that, in my humble judgment, will be the effect of your finality.

Mr. POLK. We do not want their company.

Mr. CARTTER. I presume they will be very much mortified if they do not have the company of the gentleman.

Mr. POLK. What I intended to say was, that I would prefer a resolution in favor of the finality of the compromise, even if we were to be defeated by it.

Mr. CARTTER. The gentleman comes from a State where the Democracy is accustomed to defeat.

Mr. Chairman, my State is the first-born of the Ordinance of '87; we are indebted to our mother, Old Virginia, (God bless her!) among many other good agencies and influences, for love of personal liberty. The sentiment has grown up in a soil dedicated to freedom of thought, and progress of sentiment. It cannot and will not be abandoned. Nor will the citizens of my State be terrified into a retrograde doctrine. The people of Ohio have come to the conclusion that there is bone and sinew enough in the Constitution, and constituted authorities of the country, unheeded by the clap-trap of caucus, to make the old ship of State move on upon the highway marked out by its framers, and they are not so badly troubled about breakers as some

gentlemen seem to be. They are not troubled about it at all. They have come to the deliberate conclusion that the old ship will sail on. And what reason have they to doubt? We have grown and multiplied in a ratio without a parallel, in any nation that ever existed upon the face of the globe. And while we are willing to let our brethren of the South administer their institutions in their own way—while we believe that the institution of slavery is a municipal institution belonging to them and not to the State of Ohio, and while we hold ourselves ready to execute every provision of the Constitution, we are not going to be alarmed; and while they will do this of their own free will, we are not going to be put under bonds, as my friend from Texas [Mr. HOWARD] suggests. When you come there to put us under bonds, we will beg to be excused. We will ask you to partake of our hospitality, and then will bid you good day, and will not ask you to come again on the same errand. This is the way we will treat the matter of "finality."

The true philosophy is to exclude the slave question from your National Conventions, from your national resolutions, and from your halls of legislation. You have disposed of all the territories you possess, and now, for God's sake, let us have a little peace. In the war of words, no person from the North is disposed vexatiously to disturb your tranquillity—not even my venerable colleague, [Mr. GIBBINGS,] the fire-brand of incendiarianism, as he is understood to be. He has been as quiet as a lamb all the session. [Laughter.] Here, in this Hall, those who voted against the compromise, voted against the resolutions of disturbance—and you are all aware of it—within six months after its passage. Why do you want to agitate it? We do not care particularly about the agitation, but object to your lugging in such doctrines as these promulgated to-day. [Laughter.] When you ask us to pronounce a finality, upon such sentiments, we shall not do it.

The people to whom I belong believe that the man whose liberties are brought into jeopardy, ought to have all the ceremonies of trial, and ought not to be transported a thousand miles before the question of his right to liberty comes up. They would not let you take a horse fifty miles, before the question of property is settled. They would not let you take a horse out of the venue in which he was taken; and they think that a man, whether he has a black skin or not, whether he

understands arithmetic to the rule-of-three or not, if he is a man, if he has the senses and sensibilities of a human being, ought to have a trial to ascertain what his condition is; and I tell you this conviction will not be changed by resolutions on finality. We understand full well that this extra fuss over the fugitive slave law does not arise from a desire to recover runaway negroes. Runaway slaves are bad schoolmasters on Southern plantations; they understand geography too well, and the art of teaching others how to run off too well; and having tasted the fictitious luxury of doing as they please, they make very bad servants, and worse companions for servants. The cholera on a plantation would be a small calamity, compared with a half dozen runaway negroes. It is assuming but little sagacity to say that we all know that the extra fuss kicked up over runaway negroes is merely to effect objects in the background, and which I have not the time to discuss. The greatest noise about runaway slaves, is made when fewest run away. South Carolina, that has lost but one negro since I was a boy, and that has held unto them so strongly that the runaways are confined to the whites, leaving our race in a minority of about one hundred thousand, complains loudest.

Mr. ORR. Fourteen last year.

Mr. CARTTER. Where did they go—North or South?

Mr. ORR. I expect they went to Ohio.

Mr. CARTTER. I reckon not. I think you will find them in Georgia, in the Cherokee country. [Laughter.] Do not talk to me about negroes running away from South Carolina to Canada or Ohio. They cannot do it. I repeat, we will respect all constitutional obligations. We will do it firmly—we will do it substantially; but permit me to say, if the proposition is made here to amend that law, to give its details the sanction of justice, I shall vote for it though the heavens fall. If a proposition is made to repeal it, I tell you I will vote against it. We should talk about these things just as they are, honestly, and I believe that to be the disposition and sentiment of ninety-nine hundredths of the people of the free States, from what little intercourse I have had with them. Now, I have, in a hasty manner, and under the impulse of the moment, attempted simply to reply to one or two propositions made by the gentleman from Virginia, [Mr. BAYLY,] which I thought would not do to go into the Constitution until they were considered. [Laughter.]